

Members

Sen. Ron Alting, Chairperson  
Sen. Robert Jackman  
Sen. Rose Ann Antich-Carr  
Sen. Allie Craycraft  
Rep. Ryan Dvorak  
Rep. Dan Stevenson  
Rep. Robert Alderman  
Rep. Eric Turner



# RAIL CORRIDOR SAFETY COMMITTEE

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Authority: P.L. 28-2000

## MEETING MINUTES<sup>1</sup>

Meeting Date: August 17, 2004  
Meeting Time: 1:00 P.M.  
Meeting Place: State House, 200 W. Washington St., Room 233  
Meeting City: Indianapolis, Indiana  
Meeting Number: 1

**Members Present:** Sen. Ron Alting, Chairperson; Sen. Robert Jackman; Sen. Allie Craycraft; Rep. Ryan Dvorak; Rep. Eric Turner.

**Members Absent:** Sen. Rose Ann Antich-Carr; Rep. Dan Stevenson; Rep. Robert Alderman.

Sen. Alting convened the meeting at 1:13 pm.

### Report from the Indiana Department of Transportation (IndOT)

Venetta Keefe, Project Manager, IndOT, reported on grants from the railroad grade crossing fund. Ms. Keefe summarized the grant application process. She explained that money from the fund could only be used for passive improvements to railroad grade crossings such as pavement markings, signs, streetlights, crossbucks, reflectorized markings, and brush removal; the fund could not be used for installation of train-activated

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

railroad crossing gates and lights. She provided the Committee with information regarding the local units and railroads that received money from the fund on a countywide basis for fiscal years 1998 through 2004. (See Exhibit 1) Ms. Keefe said she would provide LSA more specific information regarding the grant distributions within the counties. Ms. Keefe stated that the average amount of a project grant from the fund is \$25,000. She stated that InDOT distributes all of the money appropriated to the fund which is \$465,000 for each fiscal year of the 2003-2005 biennium.

Tom Beck, Railroad Section Manager, InDOT, reported the distributions from the industrial rail service fund. (See Exhibit 2). Mr. Beck stated that for fiscal year 2004, eight grants totaling \$1,579,727 were distributed from the fund. He explained that the money from the fund is derived from .033 of 1% of the state sales tax revenue, which totals approximately \$1,500,000 per year.

Steve Hull, Engineering Services Manager, Design Division, InDOT, reviewed Indiana's railroad grade crossing accident statistics (See Exhibit 3). Mr. Hull explained that Indiana's high number of railroad grade accidents is related to Indiana's high number of crossings. He said that over the past 20 years railroad grade crossing accidents have been reduced 80%. He stated that 50% of Indiana crossings have train activated signals, exceeding the 42% national average. In addition, 28% of Indiana's railroad crossings have gates. He indicated that InDOT has persuaded some local governments to close crossings in return for improvements at other crossings. Mr. Hull explained that Indiana expends approximately \$15 million annually in federal funds for railroad safety projects. The state receives \$5 million in Section 130 funds annually that may only be used for railroad safety projects. The state expends an additional \$10 million on rail safety projects from funds that may be used for highway safety projects or railroad safety projects. Mr. Hull explained that there are federal guidelines for determining which crossings will be improved using federal funds. The federal guidelines look at a variety of factors such as the number and speed of trains using the crossing, the type of tracks, and the accident history. The railroad crossings determined to be the highest risks are given priority to receive the federal funds.

Sen. Craycraft addressed the problem of trains that block crossings for more than the ten minutes allowed by statute. Mr. Hull stated that federal law requires trains to make a shift change every twelve hours. In Indiana, railroad crossings are often only one mile apart while trains are sometimes more than one mile long. If the railroad breaks the train to clear the crossing, federal law requires the train to go through a series of checks, such as air brake testing, when the train is recoupled. This series of checks will probably cause the train to exceed the ten minute limit.

## **Report from the Indiana Rail Transportation Group (IRTG)**

Cathy Hale, IRTG, stated that she would discuss two serious issues facing short line railroads: (1) rail line abandonments and (2) the heavy axle load challenge. (See Exhibit 4).

### *(1) Rail line abandonments*

Ms. Hale explained that approximately 3,260 miles of rail line have been abandoned in Indiana since 1950. She stated that InDOT needs to monitor and aid in the preservation of these lines. The loss of rail lines is a concern because they provide rights of way that can never be regained. She pointed out that recently a CSX Transportation abandonment of a rail line from Butlerville to Aurora was placed on hold because the rail line could benefit a proposed Department of Homeland Security facility at Muscatatuck State Development Center.

### *(2) Heavy Axle-Load Challenge*

Cathy Hale explained that 286,000 lb. capacity rail cars are becoming the norm for the railroad industry, and short line railroad track must be rehabilitated in order to handle these cars. InDOT's rail plan states that \$100 million is needed to address this problem. Ms. Hale recommended increasing the percentage of money that is distributed to the industrial rail service fund to help short line railroads with this problem.

Dick Neumann, President, IRTG, explained that heavy semi-trailer trucks are responsible for the rapid deterioration of the surface work at railroad crossings. Indiana law requires railroads to incur the expense of maintenance of railroad crossings, even though improving the surface of a railroad crossing helps the public but not the railroad. Cathy Hale, IRTG, stated that when the state expanded a road in her area from two to four lanes, InDOT installed new lights and gates at the crossing. Now the railroad has the burden of maintaining the crossing. Mr. Neumann suggested drafting legislation to allow the railroad grade crossing fund to be used for the installation of train activated signals and other non-passive improvements. Mr. Neumann then addressed the Committee concerning the use of Section 130 funds. Mr. Neumann stated that while InDOT indicates that Section 130 funds cannot be used for surface work improvements, Iowa is using Section 130 funds for these improvements. He recommends that \$500,000 of the Section 130 funds be distributed to short line railroads to pay for train activated signals and surface work. Rep. Dvorak pointed out in the correspondence Mr. Neumann provided to the Committee (See Exhibit 5) that the Federal Highway Administration (FHWA) ordered Illinois to stop using Section 130 funds for surface work improvements. Larry Goode, Division Chief, Multi-Modal Division, InDOT, stated that InDOT cannot expend state funds for surface work, because by state statute, maintenance of railroad crossings is the responsibility of the railroad. InDOT cannot spend Section 130 funds, because the FHWA has told Indiana that they cannot use the funds for surface work. Steve Hull, Engineering Services Manager, Design Division, InDOT, stated that while Iowa has used Section 130 funds for surface work, Iowa has much less train traffic than Indiana. Illinois is more similar to Indiana in terms of train traffic, and Illinois was ordered not to expend Section 130 funds for surface work. The FHWA informed InDOT that funds are not to be spent on surface work because it does not improve railroad crossing safety.

### **Other issues**

Tom Fruechtenicht, consultant for the IRTG, pointed out that the Rail Corridor Safety Committee expires in 2005. He suggested that a bill be drafted to extend the Committee.

Sen. Jackman updated the Committee on the progress of the development of high speed rail corridors in Indiana. Sen. Jackman stated that he and Elizabeth Solberg are co-chairs of the Midwest Interstate Passenger Rail Commission (MIPRC). The MIPRC meets periodically in Washington D.C. for updates on the status of the Midwest Regional Rail Initiative, a nine state plan for an enhanced passenger rail system hubbed in Chicago. He described the proposed high speed rail corridors, including corridors extending to Detroit and Cincinnati. Sen. Jackman said that the compact has a lot of support from the Indiana members in Congress. He explained that at the state level however, Indiana has yet to contribute significant state money to the initiative as compared to the amounts that other states have contributed.

Sen. Alting adjourned the meeting at 2:45 p.m.